

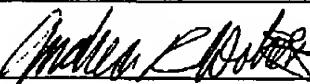
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 70254-328						
<p>I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office, to Examiner Merek at Technology Center 3700 at (703) 872-9303.</p> <p>on <u>October 3, 2002</u></p> <p>Signature </p> <p>Typed or printed Name <u>Andrea R. Wolters</u></p>								
<p>In re Application of: Richard E. Vogel</p> <table border="1"> <tr> <td>Application Number <u>09/681,099</u></td> <td>Filed <u>January 4, 2001</u></td> </tr> <tr> <td colspan="2">For CONFECTION CUP ASSEMBLY</td> </tr> <tr> <td>Group Art Unit <u>3727</u></td> <td>Examiner <u>Joseph C. Merek</u></td> </tr> </table>			Application Number <u>09/681,099</u>	Filed <u>January 4, 2001</u>	For CONFECTION CUP ASSEMBLY		Group Art Unit <u>3727</u>	Examiner <u>Joseph C. Merek</u>
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Group Art Unit <u>3727</u>	Examiner <u>Joseph C. Merek</u>							
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$320.00</u>.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$_____</u>.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to Deposit Account 50-2003. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2003. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a)(PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card Information and authorization on PTO-2038.</p>								
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. <u>Mark A. Davis, Reg. No. 37.118</u> Typed or printed name</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). <u>10/3/02</u> Date</p>								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>								

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